

09/980845

## PTO/PCT Rec'd 15 NOV 2001

PTO/SB/64/PCT (10-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	
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Docket Number (Optional) 00-505
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First named inventor: Progulske-Fox, Ann

International (PCT) Application No.: WO 01/11081      U.S. Application No.:

Filed: August 4, 2000      (if known)

Title: Microbial Polynucleotides Expressed During Infection of a Host

Attention: PCT Legal Staff  
 Box PCT  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

RECEIVED

31 JAN 2002

Legal Affairs  
International Division

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 CFR 1.494(b) or (c) or 1.495(b) or (c) as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 CFR 1.494(g) or 1.495(h).

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Proper reply
- (3) Terminal disclaimer with disclaimer fee--required for all international applications having an international filing date before June 8, 1995; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

Small entity - fee \$ 670.00 (37 CFR 1.17(m)). Applicant claims small entity status.  
See 37 CFR 1.27.

Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

## 2. Proper reply

A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s) in the form of  
U.S. National Phase Application filed under \_\_\_\_\_ (identify type of reply)):

35 U.S.C. 37

has been filed previously on \_\_\_\_\_.  
 is enclosed herewith.

Repln. Ref: 02/21/2002 UEDUVIJE 0012345800  
DA#132490 Name/Number:09980845  
FC: 704 \$30.00 CR

2/14/2001 NGUYEN 00000034 09980845

4 FC:241

640.00 OP  
20.00 OP

5 FC:198

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Adjustment date: 02/21/2002 UEDUVIJE  
12/14/2001 NGUYEN 00000034 09980845  
30.00 OP  
WJ FC:198

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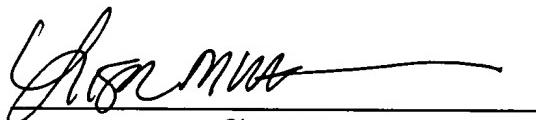
## 3. Terminal disclaimer with disclaimer fee

- Since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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11/15/01  
Date



Signature

Lisa M.W. Hillman

Typed or printed name

McDonnell Boehnen Hulbert & Berghoff

Address

300 South Wacker Drive, Chicago, IL

60606

- Enclosures:  Response  
 Fee Payment  
 Terminal Disclaimer Form  
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